HOUSE JOURNAL SIXTEENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Michael R. Styler.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 1, 1999

The Senate requests the return of **S.B. 83**, HEBER VALLEY HISTORIC RAILROAD AUTHORITY – REAUTHORIZATION, by Senator B. Evans, for reconsideration.

Annette B. Moore Secretary of the Senate

Communication filed. On motion of Representative Curtis, the House voted to return **S.B. 83** to the Senate.

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Mr. Speaker:

February 1, 1999

The Senate passed **S.C.R. 2**, RESOLUTION ON USE OF TOBACCO SETTLEMENT PROCEEDS, by Senator H. Nielson, and it is transmitted for consideration.

Annette B. Moore Secretary of the Senate

Communication filed. **S.C.R. 2**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 1, 1999

The Government Operations Committee reports a favorable recommendation on **H.B. 89**, SPECIAL ELECTION NOTICE TO

REGISTERED VOTERS, by Representative G. Way, with the following amendments:

- 1. Page 1, Line 21:
 - After "bond election," insert "if not on a regular or municipal primary or general election,"
- 2. Page 2, Line 38:

After "issued." delete "and" and after "bonds" insert ". and the average potential cost per household"; and

The Government Operations Committee reports a favorable recommendation on **H.B. 256**, APPROPRIATION FOR CHASE HOME IN LIBERTY PARK, by Representative D. Jones.

Jordan Tanner, Chair

Reports filed. On motion of Representative Tanner, the reports of the Government Operations committee were adopted.

H.B. 89 and **H.B. 256**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 2, 1999

The Health and Human Services Committee reports a favorable recommendation on **S.B. 7**, YOUTH PAROLE AUTHORITY AMENDMENTS, by Senator J. Hull, and recommends it be placed on the Consent Calendar.

Carl R. Saunders, Chair

Reports filed. On motion of Representative Saunders, the reports of the Health and Human Services committee were adopted.

S.B. 7, read the second time by short title and placed on the Consent Calendar.

CONSENT CALENDAR

- **H.B. 61**, MOTOR VEHICLE REGISTRATION AMENDMENTS, read the third time by short title and placed on its final passage.
 - **H.B. 61** then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Bennion	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Brown	Bryson	Buckner	Bush
Buttars	Carlson	Chard	D. Cox
G. Cox	Curtis	Dayton	Dillree
Duckworth	Ferry	Fife	Frandsen
Garn	Gladwell	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	Holladay	Iverson	B. Johnson
K. Johnson	King	Koehn	Lockhart
Morgan	Murray	Nelson	Olsen
Pace	Rowan	Saunders	Seitz
Short	Shurtliff	Siddoway	G. Snow
M. Snow	N. Stephens	Swallow	Tanner
Tyler	Walsh	Way	Wright
Zolman	M. Stephens		

Absent or not voting were: Representatives

Alexander	Baca	Buffmire	Goodfellow
Hickman	Jones	Styler	Throckmorton
I Iro			

H.B. 61 transmitted to the Senate for its consideration.

SPECIAL ORDER OF BUSINESS

Sub. H.B. 91, WESTERN STATES PRESIDENTIAL PRIMARY, read the third time by short title and placed on its final passage.

On motion of Representative Short, the House voted to delete **Sub. H.B. 91** in title and body and insert **2nd Sub. H.B. 91** in lieu thereof.

2nd Sub. H.B. 91 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Bennion	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Brown	Bryson	Buckner	Buffmire

Bush	Buttars	Carlson	Chard
D. Cox	G. Cox	Curtis	Dayton
Dillree	Duckworth	Ferry	Fife
Frandsen	Garn	Gladwell	Goodfellow
Gowans	Hansen	Harper	Hendricks on
Hickman	Hogue	Holdaway	Holladay
Jones	King	Koehn	Lockhart
Morgan	Murray	Nelson	Olsen
Pace	Rowan	Saunders	Seitz
Short	Shurtliff	Siddoway	G. Snow
M. Snow	N. Stephens	Swallow	Tanner
Throckmorton	Tyler	Ure	Walsh
Way	Wright	Zolman	M. Stephens

Absent or not voting were: Representatives

Alexander	Baca	Hatch	Iverson
B. Johnson	K. Johnson	Styler	

2nd Sub. H.B. 91 transmitted to the Senate for its consideration.

INTENT LANGUAGE FOR 2ND SUB. H.B. 91

On motion of Representative Short, the House voted to spread the following intent language upon the pages of the House Journal.

It is the intent of the Legislature that, because the Western States Presidential Primary is a statewide election, the state shall fund the cost of the election in each year in which it is held, so long as it continues to be exclusively a statewide election.

THIRD READING CALENDAR

H.B. 178, GRAMA, Voter Registration Form Amendments, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle H.B. 178.

UNFINISHED BUSINESS

On motion of Representative Tanner, the House voted to uncircle H.B. 229.

H.B. 229, STATE OLYMPIC COORDINATION AMENDMENTS, was before the House on its final passage.

On motion of Representative Tanner, the House voted to delete **H.B. 229** in title and body and insert **Sub. H.B. 229** in lieu thereof.

On motion of Representative Tanner, the bill was amended as follows:

- 1. Page 2, line 37: Delete "<u>certification and</u>"
- 2. Page 3, line 78:
 Delete "certification and accompanying"

On motion of Representative Bennion, the bill was amended as follows:

- 3. Page 3, Line 66: After "and" insert "also"
- 4. Page 3, Line 71:
 After "and" insert "also the"

Sub. H.B. 229, as amended, then passed on the following roll call:

Yeas, 60; Nays, 14; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Buckner	Bush
Carlson	Chard	D. Cox	G. Cox
Curtis	Dayton	Dillree	Duckworth
Fife	Gladwell	Goodfellow	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	Holladay	K. Johnson	Jones
King	Koehn	Lockhart	Morgan
Murray	Nelson	Rowan	Saunders
Seitz	Short	Shurtliff	Siddoway
G. Snow	M. Snow	N. Stephens	Styler
Swallow	Tanner	Throckmorton	Tyler
Ure	Way	Wright	M. Stephens

Voting in the negative were: Representatives

Brown	Bryson	Buffmire	Buttars
Ferry	Frandsen	Gowans	Hickman
Iverson	B. Johnson	Olsen	Pace
Walsh	Zolman		

Absent or not voting was: Representative

Garn

Sub. H.B. 229, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 176, INCOME TAX CREDIT FOR SALES AND USE TAXES PAID ON FOOD, read the third time by short title and placed on its final passage.

H.B. 176 then passed on the following roll call:

Yeas, 42; Nays, 31; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Anderson	Bennion	Bigelow
Brown	Bryson	Buffmire
Buttars	Chard	Curtis
Garn	Goodfellow	Harper
Hogue	Holladay	Iverson
K. Johnson	Koehn	Lockhart
Olsen	Rowan	Saunders
Short	M. Snow	N. Stephens
Swallow	Tanner	Throck mort on
Walsh	Way	Wright
M. Stephens		
	Brown Buttars Garn Hogue K. Johnson Olsen Short Swallow Walsh	Brown Bryson Buttars Chard Garn Goodfellow Hogue Holladay K. Johnson Koehn Olsen Rowan Short M. Snow Swallow Tanner Walsh Way

Voting in the negative were: Representatives

Alexander	S. Allen	Arent	Baca
Beck	Becker	Biskupski	Bourdeaux
Buckner	Carlson	D. Cox	G. Cox
Dayton	Duckworth	Ferry	Fife
Frandsen	Gladwell	Gowans	Hansen
Hendrickson	Holdaway	Jones	King
Morgan	Murray	Pace	Shurtliff
Siddoway	G. Snow	Tyler	

Absent or not voting were: Representatives

Bradshaw Hatch

H.B. 176 transmitted to the Senate for its consideration.

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H.B. 181, CERTIFIED TAX RATE NOTICE AMENDMENT, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle H.B. 181.

SPECIAL ORDER OF BUSINESS

- **H.C.R. 1**, RESOLUTION REGARDING MOVING RADIOACTIVE TAILINGS IN MOAB, read the third time by short title and placed on its final passage.
 - **H.C.R. 1** then passed on the following roll call:

Yeas, 73; Nays, 2; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Brown	Bryson
Buckner	Buffmire	Bush	Buttars
Carlson	Chard	D. Cox	G. Cox
Curtis	Dayton	Dillree	Duckworth
Ferry	Fife	Frandsen	Garn
Gladwell	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hickman
Hogue	Holdaway	Holladay	Iverson
K. Johnson	Jones	King	Koehn
Lockhart	Morgan	Murray	Nelson
Olsen	Pace	Rowan	Saunders
Seitz	Short	Shurtliff	Siddoway
G. Snow	M. Snow	N. Stephens	Styler
Swallow	Tanner	Throckmorton	Tyler
Ure	Walsh	Way	Zolman
M. Stephens			

Voting in the negative were: Representatives

B. Johnson Wright

H.C.R. 1 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Tyler, the House voted to uncircle H.B. 181.

H.B. 181, CERTIFIED TAX RATE NOTICE AMENDMENT, was before the House on its final passage.

On motion of Representative Swallow, the bill was amended as follows:

- 1. Page 2, Line 46:
 After "S___" insert "collected this year which is a revenue increase of ____"
- 2. Page 4, Line 105: After "to S " insert "collected this year which is a revenue increase of %"
- **H.B. 181**, as amended, then passed on the following roll call:

Yeas, 75; Nays, 0; Absent or not voting, 0.

8

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Brown	Bryson
Buckner	Buffmire	Bush	Buttars
Carlson	Chard	D. Cox	G. Cox
Curtis	Dayton	Dillree	Duckworth
Ferry	Fife	Frandsen	Garn
Gladwell	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hickman
Hogue	Holdaway	Holladay	Iverson
B. Johnson	K. Johnson	Jones	King
Koehn	Lockhart	Morgan	Murray
Nelson	Olsen	Pace	Rowan
Saunders	Seitz	Short	Shurtliff
Siddoway	G. Snow	M. Snow	N. Stephens
Styler	Swallow	Tanner	Throckmorton
Tyler	Ure	Walsh	Way
Wright	Zolman	M. Stephens	

H.B. 181, as amended, transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Harvard Din and Tonics.

On motion of Representative Garn, the Committee of the Whole was dissolved.

RULES COMMITTEE REPORT

Mr. Speaker: February 2, 1999

The Rules Committee has ordered the following House bills and resolution printed and recommends the following bills and resolution be assigned to standing committees:

EDUCATION

H.B. 261 Higher Education Savings Incentive Program

Amendments (K. Johnson)

S.B. 95 Appropriation for Assistive Technology (B. Evans)

GOVERNMENT OPERATIONS

H.B. 110 Appropriation for Assistive Technology (B. Evans)

HEALTH AND HUMAN SERVICES

H.B. 93 Training Requirements for Caseworkers (M.

Throckmorton)

JUDICIARY

H.J.R. 7 Retention of Judges Resolution (K. Bryson)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 116 The Council on Sexual Victims and Offenders (T. Beck)S.B. 16 Gang Penalty Enhancement Amendments (J. Hull)

S.B. 32 Reckless Endangerment (D. Allen)

Sub. S.B. 33 Venue of Action (D. Allen)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 165 Transfer of Brine Shrimp Certificate of Registration (T.

Hatch)

H.B. 167 Hunting License Fee (D. Bowman)

REVENUE AND TAXATION

H.B. 98 Property Tax – Exemption from Rollback Tax and in Lieu

Fees (W. Harper)

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WORKFORCE SERVICES

S.B. 73 Credit for Contributions to Child Care (L. Blackham)

Susan J. Koehn, Chair

Report filed. On motion of Representative Koehn, the report of the Rules Committee was adopted.

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Mr. Speaker:

February 2, 1999

The House Rules Committee recommends that the following bill be lifted from the Workforce Services Committee and reassigned to the Education Standing Committee:

H.B. 85 COMPULSORY EDUCATION/TRUANCY AMENDMENTS (D. Bourdeaux)

Susan J. Koehn. Chair

Report filed. On motion of Representative Koehn, the report of the Rules Committee was adopted.

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Mr. Speaker:

February 2, 1999

The House Rules Committee recommends, with written request of the sponsor, Rep. Susan J. Koehn, that **H.R. 3**, LOBBYING PRACTICES RESOLUTION (S. Koehn) be replaced with **Sub. H.R. 3**, LOBBYING PRACTICES RESOLUTIONS (S. Koehn), and further recommends it be placed on the top of the Third Reading Calendar.

Susan J. Koehn, Chair

Report filed. On motion of Representative Koehn, the report of the Rules Committee was adopted. On motion of Representative Koehn, the House voted to consider **Sub. H.R. 3** read for the second time and placed on the Third Reading Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 1, 1999

The Senate passed, as substituted, and amended **1st Sub. S.B. 12**, GRADUATED DRIVER LICENSING, by Senator S. Howell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 93**, ANTIDISCRIMINATION ACT AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration.

Annette B. Moore Secretary of the Senate

Communications filed. **Sub. S.B. 12** and **S.B. 93**, read the first time by short title and referred to the Rules Committee.

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Mr. Speaker:

February 2, 1999

The Senate passed, **H.B. 174**, SCHOOL ACTIVITIES REPORT, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 3**, JOINT RULES AMENDMENTS RESOLUTION, by Representative S. Koehn, and it is transmitted for the signature of the Speaker.

Annette B. Moore Secretary of the Senate

Communications filed. **H.B. 174** and **H.J.R. 3** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 2, 1999

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **H.B. 246**, NOTARIES PUBLIC REFORM ACT AMENDMENTS, by Representative B. Ferry, with the following amendments:

- 1. Page 2, Line 45: Reinstate "or"
- 2. Page 2, Line 47:
 After "individual" reinstate "." and delete ": or"

- 3. Page 2, Lines 48-51: Delete lines 48-51
- 4. Page 3. Line 89: After "(5)" insert "(a)"
- 5. Page 4, Line 93:

After line 93 insert:

"(b) The division shall make rules pursuant to Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to implement the examination process required by Subsection (a)."; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on H.B. 80, SALES AND USE TAXATION OF NEWSPAPER SALES OR SUBSCRIPTIONS, by Representative D. Zolman; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on H.B. 249, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ACT AMENDMENTS, by Representative P. Arent, and recommends it be placed on the Consent Calendar; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on H.B. 250, COLLECTION AGENCY AMENDMENTS, by Representative B. Ferry, and recommends it be placed on the Consent Calendar; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **H.B. 247**, SECURED TRANSACTION - SALES OF ACCOUNTS, CONTRACT RIGHTS, AND CHATTEL PAPER, by Representative B. Chard, and recommends it be placed on the Consent Calendar.

J.W. "Bill" Hickman. Chair

Day 16

Reports filed. On motion of Representative Hickman, the reports of the Business, Labor, and Economic Development committee were adopted.

- **H.B. 246** and **H.B. 80**, read the second time by short title and placed on the calendar for third reading.
- H.B. 249, H.B. 250, and H.B. 247, read the second time by short title and placed on the Consent Calendar.

UNFINISHED BUSINESS

On motion of Representative Nelson, the House voted to uncircle **H.B. 178.**

- **H.B. 178**, GRAMA Voter Registration Form Amendments, was before the House on its final passage.
 - **H.B. 178** then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Baca	Beck	Becker	Bennion
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Brown	Bryson	Buckner
Buffmire	Bush	Buttars	Carlson
Chard	D. Cox	G. Cox	Curtis
Dayton	Dillree	Duckworth	Ferry
Fife	Frandsen	Garn	Gladwell
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hogue	Holdaway
Holladay	Iverson	B. Johnson	K. Johnson
King	Koehn	Lockhart	Morgan
Murray	Nelson	Olsen	Pace
Saunders	Seitz	Short	Shurtliff
Siddoway	G. Snow	M. Snow	N. Stephens
Styler	Swallow	Tanner	Throckmorton
Tyler	Ure	Walsh	Way
Wright	Zolman	M. Stephens	

Absent or not voting were: Representatives

Alexander Hickman Jones Rowan

H.B. 178 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

Sub. H.R. 3, LOBBYING PRACTICES RESOLUTION, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle Sub. H.R. 3.

UNFINISHED BUSINESS

On motion of Representative Olsen, the House voted to uncircle H.J.R. 5.

H.J.R. 5, RESOLUTION URGING CONGRESSIONAL ACTION OVER COURTS, was before the House on its final passage.

3.

H.J.R. 5 then passed on the following roll call:

Yeas, 52; Nays, 23; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Bennion
Bigelow	Bowman	Brown	Bryson
Bush	Buttars	Chard	Curtis
Dayton	Dillree	Ferry	Fife
Garn	Gladwell	Harper	Hatch
Hickman	Hogue	Holdaway	Holladay
Iverson	B. Johnson	K. Johnson	Koehn
Lockhart	Murray	Nelson	Olsen
Pace	Rowan	Saunders	Seitz
Short	Shurtliff	Siddoway	G. Snow
M. Snow	N. Stephens	Swallow	Tanner
Throckmorton	Tyler	Ure	Walsh
Way	Wright	Zolman	M. Stephens

Voting in the negative were: Representatives

Anderson	Arent	Baca	Beck
Becker	Biskupski	Bourdeaux	Bradshaw
Buckner	Buffmire	Carlson	D. Cox
G. Cox	Duckworth	Frandsen	Goodfellow
Gowans	Hansen	Hendrickson	Jones
King	Morgan	Styler	

H.J.R. 5 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Koehn, the House voted to uncircle **Sub. H.R.**

Sub. H.R. 3, LOBBYING PRACTICES RESOLUTION, was before the House on its final passage.

On motion of Representative Hickman, the bill was amended as follows:

1. Page 2, Line 29:
Delete "<u>Subsection</u>" and insert "<u>Subsections</u>" and after "<u>(a)</u>" insert "<u>and (12)(c)(i)</u>"

Representatives Curtis and Tanner removed their names as co-sponsors on this resolution.

Day 16 Tuesday, February 2, 1999

On motion of Representative Buttars, the House voted to reconsider its action on Representative Hickman's amendment.

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On motion of Representative Hickman, the House voted to circle ${\bf Sub.\,H.R.}$ 3.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to adjourn until February 3, 1999, at 10:00 a.m.

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H.B. 34 APPLIED TECHNOLOGY EDUCATION AMENDMENTS (A. Tyler) Read for the first time and referred to the Rules Committee 22 Assigned to standing committee 137
H.B. 35 OFF HIGHWAY VEHICLE PROGRAM FUNDING (K. Garn)
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H.B. 37 SALES AND USE TAX EXEMPTION FOR FIREARM SAFES (D. Bush)
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H.B. 40 CRIMI	NAL NONSUPPORT AMENDMENTS (K. Morgan)
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H.B. 41 AMEN	IDMENTS TO COMPARATIVE FAULT (K. Morgan)
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H.B. 43 CONT	ROLLED SUBSTANCE DATABASE AMENDMENTS (P. Arent)
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	Transmitted to the Senate
H.B. 46 MININ	IUM AGE FOR MARRIAGE (C. Saunders)
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	Read the second time
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H.B. 48 APPRO	OVAL REQUIRED FOR MARRIAGE OF A MINOR (C. Saunders) Read for the first time and referred to the Rules Committee
	Read for the first time and referred to the Rules Committee Assigned to standing committee
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11.D. 43 3URVI	Read for the first time and referred to the Rules Committee
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]	E FREE AIRPORTS (J. Tanner) Read for the first time and referred to the Rules Committee Assigned to standing committee	3 13
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H.B. 337 HEALTH AND HUMAN SERVICES REFORM (D. Hogue) Read for the first time and referred to the Rules Committee
H.B. 338 RESTRICTIONS ON POLITICAL ACTIVITIES OF CERTAIN GOVERNMENT OFFICERS AND EMPLOYEES (N. Hansen) Read for the first time and referred to the Rules Committee
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H.B. 352 OVERSIGHT OVER OLYMPICS (<i>D. Ure</i>) Read for the first time and referred to the Rules Committee
H.B. 353 SALES AND USE TAX EXEMPTION FOR AREA AGENCIES ON AGING AND SENIOR CITIZEN CENTERS (W Harper)
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